

## **REMARKS**

### **I. Restriction Requirement**

In the Office Action, pending claims 1-21 were restricted as follows:

Group I (claims 1-15 and 20-21) are directed to a method for storing a security password for locking and unlocking the storage device with identifier which is locked and returning from a hardware reset, classified in class 726, subclass 34; and

Group II (claims 16-19) are directed to a system wherein a BIOS stored within the memory for controlling the basic input/output function of the computer and wherein the BIOS security setup utility is independent from an operating system of the computer, classified in class 713, subclass 2.

### **II. Traversal**

One of the requirements for insisting upon a restriction is that there would be a serious burden on the Examiner if restriction were not required. The Office Action suggests that a serious burden exists due to different fields of searches for the two identified groups of claims according to their divergent subject matter and separate status within the art in view of their different classifications. However, the applicant respectfully submits that no burden on the Examiner presently exists with respect to searching, if any ever existed, as is evident by the fact that all of the claims of both identified groups have been searched. A search was conducted for art disclosing the subject matter of all of the claims and two Office Actions and an Advisory Action have been submitted to the applicant with respect to the applicability of the search results to the claims of both groups.

Any amendments to the claims presented in the Amendment under 37 CFR 1.114, which was filed by the applicant with a corresponding RCE on April 24, 2008, were made for clarity purposes after a telephone interview with the Examiner and did not substantively alter the scope of the claims so as to require a new search in any new field. The applicant submits that because a thorough search was conducted at the outset of prosecution with respect to the subject matter of all of the claims of Groups I and II without any assertion of a restriction requirement, and because the patentability of all of the claims have been the subject of ongoing examination through three actions from the Examiner and a telephone interview, it is not a serious burden on

the Examiner to continue the examination of all of the claims. Accordingly, the applicant respectfully requests the withdrawal of the restriction requirement and the continued examination of claims 1-21.

### III. Election

The applicant hereby elects Group I corresponding to claims 1-15 and 20-21 *with traverse* for the reasons discussed above.

### IV. Conclusion

Should the Examiner have any remaining questions or concerns, he is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns. No fee is believed due with the submission of this Amendment and Reply. However, if this understanding is in error, please charge any additional fees to Deposit Account No. 50-3634. Also, please credit any overpayment to Deposit Account No. 50-3634.

Respectfully submitted,

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/Michael J. Baldauff, Jr./

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